FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ DEC 19 2011 ★
BROOKLYN OFFICE

United States District Court
Southern District of New York
Office of the Clerk
U.S. Courthouse
500 Pearl Street
New York, N.Y. 10007

Date: 12-16-11

Re: United States of America v. Elson

Docket number: 1:95-CR-179 (JGK)

Dear Clerk:

Pursuant to the Transfer of Jurisdiction signed in the above captioned case, enclosed are the following documents:

(1) certified copy of the Transfer of Jurisdiction;
(2) certified copy of Judgment In A Criminal Case; and
(3) certified copy of the charging instrument, check one:

☑ Indictment
☐ Information and Waiver of Indictment

Your acknowledgment of receipt of the above documents on the copy of this letter will be appreciated.

Sincerely,
Ruby Krajick, Clerk of Court

By: JC Adams
Deputy Clerk

FedEx. Express US Airbill 8768 6502 2240

RECEIPT IS ACKNOWLEDGED OF THE DOCUMENTS DESCRIBED HEREIN:

ASSIGNED CASE NUMBER:________________ **Clerk, U.S. District Court**

DATE:________________ **By:**________________
Deputy Clerk

rev. 2/15/2006

CLOSED

U.S. District Court
Southern District of New York (Foley Square)
CRIMINAL DOCKET FOR CASE #: 1:95-cr-00179-JGK All Defendants
Internal Use Only

Case title: USA v. Elson

Date Filed: 03/08/1995
Date Terminated: 05/23/2001

Assigned to: Judge John G. Koeltl

Defendant (1)

Monya Elson
TERMINATED: 05/23/2001
also known as
"Kishinevsky"

represented by **James DiPietro**
James J. Dipietro, Esq
186 Joralemon Street
Brooklyn, NY 11201
718-875-4207
Fax: (718) 875 1717
Email: jjd25esq@aol.com
TERMINATED: 05/23/2001
LEAD ATTORNEY
Designation: Retained

Pending Counts	Disposition
18:1962 RACKETEERING ENTERPRISE (1s)	
18:1962 RACKETEERING, EXTORTION CREDIT TRANSACT. RICO substantive (2)	
18:1962(c) RACKETEERING (2s)	
18:1951 EXTORTION, RACKETEERING, & THREATS (3)	
18:1959(a)(1),2 Murder in Aid of Racketeering (3s)	
18:1959(a)(5) CONSPIRACY TO MURDER IN AID OF RACKETEERING	

A CERTIFIED COPY
RUBY J. KRAJICK, CLERK
BY [signature]
Deputy Clerk

(4s)

18:1951,2 EXTORTION
(5s)

18:1951 CONSPIRACY TO COMMIT EXTORTION
(6s)

Highest Offense Level (Opening)

Felony

Terminated Counts	**Disposition**
18:1962 RACKETEERING, EXTORTION CREDIT TRANSACT. RICO Consp. (1)	Admitted guilt to violation of Specification 1 of the term of supervision

Highest Offense Level (Terminated)

Felony

Complaints	**Disposition**
None	

Plaintiff

United States Of America represented by **Douglass Bayley Maynard**
Akin Gump Strauss Hauer & Feld LLP (NYC)
One Bryant Park
New York, NY 10036
(212) 872-1019
Fax: (212) 872-7539
Email: dmaynard@akingump.com
LEAD ATTORNEY

Date Filed	#	Docket Text
03/08/1995	1	INDICTMENT as to Monya Elson (1) count(s) 1, 2, 3 (lf) (Entered: 03/08/1995)
03/08/1995		(Court only) **Added Government Attorney Douglas B. Maynard (lf) (Entered: 03/08/1995)
03/08/1995	2	ORDER as to Monya Elson, Unsealing Indictment (Signed by Magistrate Judge Leonard A. Bernikow); Copies mailed. (lf) (Entered: 03/08/1995)

03/16/1995		ORAL ORDER as to Monya Elson , adj. to 4/27/95 to Continue in Interests of Justice (Entered by Magistrate Judge Barbara A. Lee) (lf) (Entered: 03/16/1995)
04/27/1995		ORAL ORDER as to Monya Elson , Adj. to 8/31/95 to Continue in Interests of Justice (Entered by Magistrate Judge Nina Gershon) (lf) (Entered: 04/27/1995)
04/27/1995		ORAL ORDER as to Monya Elson , adj. to 8/31/95 to Continue in Interests of Justice (Entered by Magistrate Judge Nina Gershon) (lf) (Entered: 09/05/1995)
08/31/1995		ORAL ORDER as to Monya Elson , adj. to 9/28/95 to Continue in Interests of Justice (Entered by Magistrate Judge Naomi R. Buchwald) (lf) (Entered: 09/05/1995)
09/28/1995		ORAL ORDER as to Monya Elson , aDj. to 12/28/95 t/e to Continue in Interests of Justice (Entered by Magistrate Judge James C. Francis IV) (lf) (Entered: 09/28/1995)
10/05/1995		Pre-trial conference as to Monya Elson held..deft. not pres. Deft atty waives appearance. Deft Rodriguez pres w/atty. AUSA present. Interpreter present. Voir dire and reqest to charge to be submitted to the court by 10.13.95 . Next PTC 10.16.95 at 4:00 p.m. Deft. Remanded.. (gb) (Entered: 10/06/1995)
10/05/1995		ORAL ORDER as to Monya Elson , reset pretrial conference for 4:00 10/16/95 for Monya Elson (Entered by Judge Allen G. Schwartz) (gb) (Entered: 10/06/1995)
12/28/1995		ORAL ORDER as to Monya Elson , adj. to 3/7/96 to Continue in Interests of Justice (Entered by Magistrate Judge Theodore H. Katz) (lf) (Entered: 12/28/1995)
08/26/1996		ARREST of Monya Elson (lf) (Entered: 08/27/1996)
08/26/1996		First Appearance as to Monya Elson held Deft detained on consent w/o prejudice to deft's right to bail application in the future. (lf) (Entered: 08/27/1996)
08/26/1996	3	NOTICE of Appearance for Monya Elson by Attorney James DiPietro (lf) (Entered: 08/27/1996)
08/27/1996	4	Filed Memo-Endorsement on letter dated 8/22/96 to Judge Chin from David N. Kelley as to Monya Elson. RE: Adjournment of the initial presentment of the dft. application granted. and, time is excluded from 8/22/96 to 8/26/96 pursuant to the Speedy Trial Act and to Continue in the Interests of Justice (Signed by Judge Denny Chin). (mb) (Entered: 08/27/1996)
08/29/1996		ORAL ORDER as to Monya Elson , Adj. to 9/5/96 to Continue in Interests of Justice (Entered by Magistrate Judge Henry B. Pitman) (lf) (Entered: 08/29/1996)
09/05/1996		Arraignment as to Monya Elson held Monya Elson (1) count(s) 1, 2, 3 before Magistrate Judge Michael H. Dolinger. AUSA Robin Baker present. Deft.

		Elson present with atty Pietter. Deft. plead n/g. Deft. continued detention. Case assigned for all purposes to J. Koeltl. (rag) (Entered: 09/09/1996)
09/05/1996		CASE Assigned to Judge John G. Koeltl (rag) (Entered: 09/09/1996)
09/05/1996		PLEA entered by Monya Elson . Court accepts plea. Not Guilty: Monya Elson (1) count(s) 1, 2, 3 (rag) (Entered: 09/09/1996)
09/06/1996	5	ORDER as to Monya Elson, set pretrial conference for 4:00 9/12/96 for Monya Elson , and to Continue in Interests of Justice (Signed by Judge Baer); Copies mailed. (mr) (Entered: 09/06/1996)
09/12/1996		Pre-trial conference as to Monya Elson held. Defendant present with attorney David Dipierto. AUSA Jeff Zimmerman present. Reporter Jerry Harrison present. Adjourned until 11/14/96 at 4:30 pm. Time excluded from 9/8/96 to 11/14/96. Defendant continued detained. (Judge Koeltl) (mr) (Entered: 09/13/1996)
09/12/1996		ORAL ORDER as to Monya Elson , reset pretrial conference for 4:30 11/14/96 for Monya Elson (Entered by Judge John G. Koeltl) (mr) (Entered: 09/13/1996)
09/12/1996		(Court only) **Excludable XH starts on 9/12/96 and stops on 9/12/96 as to Monya Elson (mr) (Entered: 09/13/1996)
09/25/1996	6	ORDER as to Monya Elson, The parties are directed to appear for a conference on 11/14/96, at 4:30 p.m. Time is excluded from 9/12/96 until 11/14/96 pursuant to the Speedy Trial Act, and to Continue in Interests of Justice (Signed by Judge John G. Koeltl). (mb) (Entered: 09/30/1996)
10/21/1996	7	NOTICE of Appearance for Monya Elson by retained Attorney James Di Pietro. (mb) (Entered: 10/21/1996)
11/15/1996	8	Filed Memo-Endorsement on letter dated 11/15/96 to Judge Koeltl from James DiPietro as to Monya Elson. Re: An Adjournment of the PTC. Application granted. and, Time is excluded from 11/14/96 until 1/13/97 pursuant to the Speedy Trial Act and to Continue in Interests of Justice (Signed by Judge John G. Koeltl)d. (mb) (Entered: 11/18/1996)
11/19/1996	9	ORDER as to Monya Elson, set pretrial conference for 4:00 1/13/97 for Monya Elson , and Time excluded from 11/14/96 until 1/13/97 to Continue in Interests of Justice (Signed by Judge John G. Koeltl); Copies mailed. (mr) (Entered: 11/20/1996)
01/13/1997		Deft. present w/atty David D. Pietro. AUSA Jeff Zimmerman. Reporter Amy Rivera. Pretrial conference held. Deft's motions due 3/14/97. Gov't response by 4/11/97. Deft's reply by 4/21/97. Final pretrial conference 9/26/97 at 4:00 p.m. Trial set for 10/6/97 at 9:00 a.m. Time excluded from 1/13/97 to 10/6/97. Deft. cont'd detained. (rag) (Entered: 01/14/1997)
01/13/1997		Pre-trial conference as to Monya Elson set at 4:00 9/26/97 for Monya Elson (rag) (Entered: 01/14/1997)

01/13/1997		Jury trial as to Monya Elson set at 9:00 10/6/97 for Monya Elson (rag) (Entered: 01/14/1997)
01/16/1997	10	ORDER as to Monya Elson, set scheduling order deadlines: Motion Filing to 3/14/97 for Monya Elson ; Reply to response to motion deadline 4/21/97 for Monya Elson ; Response to motion deadline 4/11/97 for USA ; Pretrial Conference for 9/26/97 for Monya Elson ; , Each parties' request to charge and proposed voir dire shall be filed by 9/22/97. Objections to the other party's submission shall be filed by 9/24/97. , Time is excluded from 1/13/97 until 10/6/97 pursuant to the Speedy Trial Act, and to Continue in Interests of Justice (Signed by Judge John G. Koeltl). (mb) (Entered: 01/17/1997)
03/14/1997	11	MOTION by Monya Elson authorizing the transfer of the litigation pertaining to this indictment to the Eastern District of New York, or, altrnatively, to transfer the homicide allegations which properly lie in the Eastern District and sever the narcotic and extortion charges purportedly arising in the Sourthern District of New York , to dismiss the racketeering counts in the present indictment due to the legal insuffiency in the description of the enterprise and pattern elements of the racketeering count in the indictment , to suppress audiotapes derived from an eavesropping warrent authorizing the interception of communication over the Podlog telelphone line and to controvert the warrent authorizing the interception of conversations over the Podlog telephone lines. , to suppress the audiotapes based on the illegal "suspension" of the wiretap and failue to properly secure a valid extension of the wiretap , for Bill of Particulars , to strike from the indictment the unnecessary, superfluous, and inherently prejudicial verbiage "Monya's Brigada" , and for such other and further releif as the court may deem just and proper. , Return date **/**/** (mr) (Entered: 03/14/1997)
03/14/1997	12	MEMORANDUM by Monya Elson in support of [11-1] motion authorizing the transfer of the litigation pertaining to this indictment to the Eastern District of New York, or, altrnatively, to transfer the homicide allegations which properly lie in the Eastern District and sever the narcotic and extortion charges purportedly arising in the Sourthern District of New York, [11-2] motion to dismiss the racketeering counts in the present indictment due to the legal insuffiency in the description of the enterprise and pattern elements of the racketeering count in the indictment, [11-3] motion to suppress audiotapes derived from an eavesropping warrent authorizing the interception of communication over the Podlog telelphone line and to controvert the warrent authorizing the interception of conversations over the Podlog telephone lines., [11-4] motion to suppress the audiotapes based on the illegal "suspension" of the wiretap and failue to properly secure a valid extension of the wiretap, [11-5] motion for Bill of Particulars, [11-6] motion to strike from the indictment the unnecessary, superfluous, and inherently prejudicial verbiage "Monya's Brigada", [11-7] motion for such other and further releif as the court may deem just and proper. (mr) (Entered: 03/14/1997)
04/11/1997	13	MEMORANDUM of Law by USA as to Monya Elson in opposition to Pretrial [11-1] motions authorizing the transfer of the litigation pertaining to this indictment to the Eastern District of New York, or, altrnatively, to transfer the

		homicide allegations which properly lie in the Eastern District and sever the narcotic and extortion charges purportedly arising in the Southern District of New York, [11-2] motion to dismiss the racketeering counts in the present indictment due to the legal insuffiency in the description of the enterprise and pattern elements of the racketeering count in the indictment, [11-3] motion to suppress audiotapes derived from an eavesropping warrent authorizing the interception of communication over the Podlog telelphone line and to controvert the warrent authorizing the interception of conversations over the Podlog telephone lines., [11-4] motion to suppress the audiotapes based on the illegal "suspension" of the wiretap and failue to properly secure a valid extension of the wiretap, [11-5] motion for Bill of Particulars, [11-6] motion to strike from the indictment the unnecessary, superfluous, and inherently prejudicial verbiage "Monya's Brigada", [11-7] motion for such other and further releif as the court may deem just and proper. (mb) (Entered: 04/14/1997)
05/30/1997		ORAL ORDER as to Monya Elson denying [11-1] motion authorizing the transfer of the litigation pertaining to this indictment to the Eastern District of New York, or, altrnatively, to transfer the homicide allegations which properly lie in the Eastern District and sever the narcotic and extortion charges purportedly arising in the Southern District of New York as to Monya Elson (1), denying [11-2] motion to dismiss the racketeering counts in the present indictment due to the legal insuffiency in the description of the enterprise and pattern elements of the racketeering count in the indictment as to Monya Elson (1), denying [11-3] motion to suppress audiotapes derived from an eavesropping warrent authorizing the interception of communication over the Podlog telelphone line and to controvert the warrent authorizing the interception of conversations over the Podlog telephone lines. as to Monya Elson (1), denying [11-4] motion to suppress the audiotapes based on the illegal "suspension" of the wiretap and failue to properly secure a valid extension of the wiretap as to Monya Elson (1), denying [11-5] motion for Bill of Particulars as to Monya Elson (1), denying [11-6] motion to strike from the indictment the unnecessary, superfluous, and inherently prejudicial verbiage "Monya's Brigada" as to Monya Elson (1), denying [11-7] motion for such other and further releif as the court may deem just and proper. as to Monya Elson (1). Deft. present w/atty James DiPietro. AUSA Jeff Zimmerman. Reporter Tom Murray. Oral argument held on deft's motions held. Deft's motions denied. Deft. cont'd remanded. (Entered by Judge John G. Koeltl) (rag) (Entered: 05/30/1997)
06/16/1997	15	SUPERSEDING INDICTMENT as to Monya Elson (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s (rag) (Entered: 06/24/1997)
06/20/1997	14	MEMORANDUM OPINION # 78769 as to Monya Elson, The defendant's motion to transfer venue, or in the alternative to sever a portion of te Indictment and transfer prosecution of those charges is deneid. The defendant's motion to dismiss Counts 1 and 2 of the indictment is denied. The defendant's motion to suppress tape recording is denied. The defendant's motion to strike alleged "surplusage" from the indictment is denied. (Signed by Judge John G. Koeltl); Copies mailed. (mr) (Entered: 06/20/1997)

07/09/1997		Pre-trial conference as to Monya Elson held. Deft. pres. w/atty James Dipierto. AUSA Jeff Zimmerman. Reporter Steven Griffing pres. Deft. arraigned on Superceding Indictment and pleads not guilty. Trial scheduled for 10/6/97 at 9:00 a.m. Time excluded from 7/9/97 to 10/6/97. Deft. cont'd detained. (Judge Koeltl) (ba) (Entered: 07/10/1997)
07/09/1997		(Court only) **Excludable XH start as to Monya Elson (ba) (Entered: 07/10/1997)
07/09/1997		Arraignment as to Monya Elson held Monya Elson (1) count(s) 1s, 2s, 3s before Judge John G. Koeltl (ba) (Entered: 07/10/1997)
07/09/1997		PLEA entered by Monya Elson . Court accepts plea. Not Guilty: Monya Elson (1) count(s) 1s, 2s, 3s (Terminated motions -) (ba) (Entered: 07/10/1997)
07/09/1997		ORAL ORDER as to Monya Elson , set Jury trial for 9:00 10/6/97 for Monya Elson (Entered by Judge John G. Koeltl) (ba) (Entered: 07/10/1997)
07/14/1997	16	ORDER as to Monya Elson, Having held a conference on 7/9/97 the Court set the following scheduling order deadlines: Pretrial Conference for 4:00 9/26/97 for Monya Elson ; Jury Trial for 9:00 10/6/97 for Monya Elson ; Each parties' request to charge and proposed voir dire shall be filed by 9/22/97. Objection to the other party's submission shall be filed by 9/24/97 , and Time is excluded from 7/9/97 to until 10/6/97 purusant to the Speedy trial Act, and to Continue in Interests of Justice (Signed by Judge John G. Koeltl Copies mailed. (mb) (Entered: 07/14/1997)
08/19/1997	17	SEALED DOCUMENT as to Monya Elson (af) (Entered: 08/19/1997)
09/05/1997	18	ORDER as to Monya Elson, The Court hereby orders that: The parties shall file proposed Requests to Charge and Voir Dire by April 1, 1998. Responses and objections, if any, shall be filed by April 3, 1998. and set pretrial conference for 4:00 4/9/98 for Monya Elson , and set Jury trial for 9:00 4/13/98 for Monya Elson , and exclude time from 9/3/97 to 4/13/98 to Continue in Interests of Justice (Signed by Judge John G. Koeltl) (ba) (Entered: 09/08/1997)
03/27/1998	19	SEALED DOCUMENT as to Monya Elson (da) (Entered: 03/27/1998)
04/13/1998	20	ORDER as to Monya Elson, reset Jury trial for 1/12/99 for Monya Elson , and Time excluded from 4/7/98 until 1/12/98 to Continue in Interests of Justice (Signed by Judge John G. Koeltl); Copies mailed. (mr) (Entered: 04/14/1998)
01/07/1999	21	SPEEDY TRIAL ORDER as to Monya Elson. The trial in this case is adjourned to 9/6/99 at 9:00 a.m. Since the adjournment is needed to assure the effective assistance of counsel and because of the complexity of the case, the Court prospectively excludes the time from today until 9/6/99 from Speedy Trial Act calculations (Signed by Judge John G. Koeltl); Copies mailed. (emil) (Entered: 01/14/1999)
01/29/1999	22	SEALED DOCUMENT as to Monya Elson (da) (Entered: 02/01/1999)

09/09/1999	23	ORDER as to Monya Elson, set Jury trial for 9:00 3/6/00 for Monya Elson , and Time excluded from 9/3/99 until 3/6/00 to Continue in Interests of Justice (Signed by Judge John G. Koeltl); Copies mailed. (mr) (Entered: 09/10/1999)
05/05/2000	24	SEALED DOCUMENT as to Monya Elson (da) (Entered: 05/05/2000)
05/05/2000	25	SEALED DOCUMENT as to Monya Elson (da) (Entered: 05/05/2000)
05/11/2000		(Court only) **Procedural Interval start P5 as to Monya Elson (1) count(s) 1s, 1, 2s, 2, 3s, 3, 4s, 5s, 6s (dcap) (Entered: 07/18/2001)
05/12/2000	26	SEALED DOCUMENT as to Monya Elson (da) (Entered: 05/12/2000)
06/22/2000	27	ORDER as to Monya Elson. It is hereby ORDERED that defendant Monya Elson, who was temporarily to the U.S. for prosecution pursuant to Article 14 of the Extradition Treaty Between the U.S. and the Government of Italy, be returned by the U.S. Marshal's Service to the custody of Italian law enforcement authorities as soon as practicable pending permanent extradition to the U.S. (Signed by Judge John G. Koeltl); Copies mailed. (bw) (Entered: 06/23/2000)
05/18/2001	28	ORDER as to Monya Elson (S2 95 Cr. 179). The Clerk is hereby directed to unseal the envelope dated May 12, 2000 and immediately deliver it to the Chambers of this Court. (Signed by Judge John G. Koeltl); Copies mailed. (bw) (Entered: 05/21/2001)
05/18/2001		(Court only) **Procedural Interval start P6 as to Monya Elson (1) count(s) 1s, 1, 2s, 2, 3s, 3, 4s, 5s, 6s (dcap) (Entered: 07/18/2001)
05/23/2001		(Court only) **JS3 Closing Card for Monya Elson (dcap) (Entered: 07/18/2001)
05/23/2001		(Court only) **Terminated party Monya Elson (dcap) (Entered: 07/18/2001)
05/23/2001		(Court only) **Case closed as to all defendants: Monya Elson (dcap) (Entered: 07/18/2001)
05/24/2001	29	SEALED DOCUMENT as to Monya Elson (rp) (Entered: 05/24/2001)
05/30/2001	30	SEALED DOCUMENT as to Monya Elson (wv) (Entered: 05/30/2001)
05/31/2001	31	ORDER as to Monya Elson, that case number 95 cr 179 (JGK) is hereby ordered closed on the Court's docket. (Signed by Judge John G. Koeltl); Copies mailed. (rag) (Entered: 06/04/2001)
07/17/2001		Payment of Fine by Monya Elson in the amount of $15,050.00: Date Received: 7/17/01. (mn) (Entered: 07/17/2001)
07/20/2001	32	SEALED DOCUMENT as to Monya Elson (rp) (Entered: 07/20/2001)
07/18/2002	33	SEALED DOCUMENT as to Monya Elson (wv) (Entered: 07/18/2002)
10/30/2002	34	SEALED DOCUMENT as to Monya Elson (js) (Entered: 10/30/2002)
03/28/2007		Minute Entry for proceedings held before Judge John G. Koeltl :Status Conference (Re: Violation of Supervised Release) as to Monya Elson held on

		3/28/2007. Deft. pres. w/atty James DiPietro; AUSA Jason Halperin. Adjourned to 4/5/07 @ 5PM. Deft cont'd detained. (Court Reporter Michael McDaniel) (pr) (Entered: 04/13/2007)
03/28/2007		(Court only) ***Procedural Interval P8 started as to Monya Elson (1) Count 1,1s,2,2s,3,3s,4s,5s,6s... (pr) (Entered: 04/13/2007)
04/11/2007	35	AMENDED JUDGMENT (For Revocation of Probation or Supervised Release) admitted guilt to violation of Specification 1 of the term of supervision. Imprisonment for a total term of 24 Months. The deft's term of supervised release is hereby revoked in this matter. The court makes the following recommendations to the Bureau of Prisons: The deft be placed in a drug treatment program. (Signed by Judge John G. Koeltl on 4/11/07)(jw) (Entered: 04/16/2007)
05/04/2007	36	(Court only) SEALED DOCUMENT as to Monya Elson placed in vault. (sov) (Entered: 05/07/2007)
05/23/2007	37	ENDORSED LETTER as to Monya Elson addressed to Judge Koeltl from James J. DiPietro dated 5/14/07 re: Requesting that the recommendation of a drug program be removed for the judgment and commitment. So ordered.. (Signed by Judge John G. Koeltl on 5/16/07)(pr) (Entered: 05/24/2007)
06/01/2007	38	AMENDED JUDGMENT (For Revocation of Probation or Supervised Release) as to Monya Elson (1), Admitted guilt to violation of Specification 1 of the term of supervision. Imprisonment for a total term of 24 Months. The deft's term of supervised release is hereby revoked in this matter. Supervised release shall be reimposed after the deft's term of incarceration, with all of the previous terms of supervision. (Signed by Judge John G. Koeltl on 6/1/07)(jw) (Entered: 06/07/2007)
10/07/2011	39	SEALED DOCUMENT placed in vault. (mps) (Entered: 10/07/2011)
10/07/2011	40	PROBATION FORM 22 PETITION as to Monya Elson. Petitioning the Court: request for transfer of jurisdiction to the USDC for the Eastern District of New York. The Court Orders: IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the USDC for the Eastern District of New York upon that Court's order of acceptance of jurisdiction. (Signed by Judge John G. Koeltl on 10/5/2011)(ja) (Entered: 10/07/2011)
12/15/2011	41	Probation Jurisdiction Transferred Out to the U.S.D.C. Eastern District of New York as to Monya Elson. (ja) (Entered: 12/16/2011)
12/15/2011		TRANSFER OUT PROBATIONER DOCUMENTS SENT as to Monya Elson to the U.S.D.C. Eastern District of New York. The following documents were mailed: Copy of the Transfer of Jurisdiction Form, certified copy of the indictment(s), certified copy of the docket sheet, and letter of acknowledgment. Mailed via Federal Express AIRBILL # 8768 6502 2240 on 12/16/2011. (ja) (Entered: 12/16/2011)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT FILED MAR 8 1995 S.D. OF N.Y.

UNITED STATES OF AMERICA

- v -

MONYA ELSON, a/k/a "Kishinevsky,"

Defendant.

INDICTMENT

95 Cr.

95 CRIM. 179

JUDGE KOELTL

COUNT ONE

The Grand Jury charges:

THE ENTERPRISE

1. At all times relevant to this Indictment, the defendant MONYA ELSON, a/k/a "Kishinevsky," together with others known and unknown were members of a group known as "Monya's Brigada" and constituted an "enterprise" as that term is defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, which was engaged in, and the activities of which affected, interstate and foreign commerce. Monya's Brigada was an organized criminal group that operated in the Southern District of New York and elsewhere.

PURPOSES OF THE ENTERPRISE

2. The purposes of the enterprise included the following:

a. enriching the members of the enterprise through, among other things, narcotics trafficking and extortion; and

MICROFILM MAR - 8 1995 -3 00 PM

b. preserving and protecting the power and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults and murder.

MEANS AND METHODS OF THE ENTERPRISE

3. Among the means and methods by which the defendant and his co-racketeers conducted and participated in the conduct of the affairs of the enterprise were the following:

a. Members of the enterprise conspired to distribute and possess with intent to distribute heroin.

b. Members of the enterprise used, attempted to use, and conspired to use extortion, which affected interstate commerce.

c. Members of the enterprise committed, attempted to commit and threatened to commit murder and other acts of violence to protect the enterprise's criminal operations.

d. Members of the enterprise promoted a climate of fear through violence and threats.

THE RACKETEERING CONSPIRACY

4. From in or about August 1990 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, being persons employed by and associated with the racketeering enterprise described above, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, willfully

and knowingly combined, conspired, confederated and agreed together and with each other to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5). It was part of the conspiracy that the defendant agreed to participate in the conduct of the enterprise's affairs by personally committing at least two of the acts of racketeering, set forth as Racketeering Acts One through Ten in paragraphs 6 through 15 below.

THE PATTERN OF RACKETEERING ACTIVITY

5. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act One

6. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

Conspiracy to Murder Boris Nayfeld

a. From in or about January 1991 through in or about January 1994, in the Eastern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Boris Nayfeld, a/k/a "Beeba," in violation of New York State Penal Law Sections 105.15 and 125.25.

Attempt to Murder Boris Nayfeld

b. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to murder Boris Nayfeld, a/k/a "Beeba," in violation of New York State Penal Law Sections 20.00, 110.00 and 125.25.

Arson Conspiracy

c. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to damage a motor vehicle used by Boris Nayfeld, a/k/a "Beeba," by causing an explosion, in violation of New York State Penal Law Sections 105.15 and 150.20.

Arson Attempt

d. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to damage a motor vehicle used by Boris Nayfeld, a/k/a "Beeba," by causing an explosion, in violation of New York State Penal Law Sections 20.00, 110.00 and 150.20.

Racketeering Act Two

7. MONYA ELSON, a/k/a "Kishinevsky, the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Two:

Conspiracy to Murder Vyacheslav Lyubarsky

a. In or about October 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Sections 105.15 and 125.25.

Attempt to Murder Vyacheslav Lyubarsky

b. In or about October 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to murder Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Sections 20.00, 110.00 and 125.25.

Racketeering Act Three

Murder of Vyacheslav Lyubarsky

8. On or about January 12, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Section 125.25.

Racketeering Act Four

Murder of Vadim Lyubarsky

9. On or about January 12, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Vadim

Lyubarsky, in violation of New York State Penal Law Section 125.25.

Racketeering Act Five

10. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Five:

Conspiracy to Murder Alexander Slepinin

a. In or about June 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Alexander Slepinin, a/k/a "Palcovnik," in violation of New York State Penal Law Sections 105.15 and 125.25.

Murder of Alexander Slepinin

b. On or about June 23, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Alexander Slepinin, a/k/a "Palcovnik," in violation of New York State Penal Law Section 125.25.

Act of Racketeering Six

Conspiracy to Distribute Heroin

11. In or about 1991, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States, to wit, to distribute and possess with intent to distribute

mixtures and substances containing detectable amounts of heroin, in violation of Sections 812, 841(a)(1) and 846 of Title 21, United States Code.

Act of Racketeering Seven

12. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Seven:

Conspiracy to Extort Victim #1

a. In or about late 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, together with others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #1," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #1

b. In or about late 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #1, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Eight

13. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Eight:

Conspiracy to Extort Victim #2

a. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money by extortion from an individual referred to herein as "Victim #2," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #2

b. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #2, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Nine

14. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one which alone constitutes the commission of Racketeering Act Nine:

Conspiracy to Extort Victim #3

a. In or about early 1992, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #3," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #3

b. In or about early 1992, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #3, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Ten

15. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Ten:

Conspiracy to Extort Victim #4

a. On or about April 27, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #4," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #4

b. On or about April 27, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #4, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO

The Grand Jury further charges:

16. Paragraphs 1 through 3 and 5 through 15 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

17. From in or about August 1990 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown to the Grand Jury, being a persons employed by and associated with the enterprise described in Paragraphs 1 through 3 of this Indictment, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, willfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), by committing two or more acts of racketeering, as set forth in Paragraphs 6 through 15 of this Indictment, which are realleged and incorporated herein by reference as Racketeering Acts One through Ten.

(Title 18, United States Code, Section 1962(c).)

COUNT THREE

The Grand Jury further charges:

18. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and

others known and unknown to the Grand Jury, unlawfully, willfully and knowingly obtained and attempted to obtain money by extortion, from and with the consent of Victim #2, which consent had been induced by the wrongful use of actual and threatened force, violence and fear and thereby would and did obstruct, delay and affect commerce.

(Title 18, United States Code, Sections 1951 and 2.)

FOREPERSON

Mary Jo White
MARY JO WHITE
United States Attorney
Southern District of New York

A CERTIFIED COPY
RUBY J. KRAJICK, CLERK
BY
Deputy Clerk

9/28/95 ADJ. TO 12/28/95. TIME EXCLUDED.
1Y
PATTERSON, U.S.M.J.

2/28/95 Adj 3/7/96.

8/29/96 AUSA Pennerstein pre. Case Adj 9/5/96
Mag J. Pittman

9-5-96 AUSA Robin Baker present
LAH def Elson present with atty Pietter
def pled NG
def continued detention
case assigned for all purposes to J. Koeltl

Dolinger, USMJ

12/96 DEFT PRESENT W/ATTY DAVID DIPIETRO, AUSA JEFF ZIMMERMAN PRESENT
REPORTER JERRY HARRISON PRESENT, PRETRIAL CONFERENCE HELD
ADJOURNED UNTIL 11/14/96 AT 4:30 PM. TIME EXCLUDED
FROM 9/8/96 TO 11/14/96. DEFT CONT'D DETAINED.

— JUDGE KOELTL

1/97 DEFT PRESENT W/ATTY DAVID D. PIETRO, AUSA JEFF ZIMMERMAN,
REPORTER AMY RIVERA. PRETRIAL CONFERENCE HELD. DEFT'S
MOTIONS DUE 3/14/97. GOV'T RESPONSE BY 4/11/97. DEFT'S
REPLY BY 4/21/97, FINAL PRETRIAL CONFERENCE 9/26/97
AT 4:00PM. TRIAL SET FOR 10/6/97 AT 9:00AM. TIME
EXCLUDED FROM 1/13/97 TO 10/6/97. DEFT CONT'D
DETAINED.

— JUDGE KOELTL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- vs -

MONYA ELSON, a/k/a "Kishinevsky,"

Defendant.

INDICTMENT
95 Cr.

(Title 18, United States Code, Sections 1962(c), 1962(d); 1951 and 2.)

MARY JO WHITE
United States Attorney for the
Southern District of New York

A TRUE BILL

[signature]
Foreperson

3/1/95 Indictment Filed
MFWA A/W Issued
Indictment sealed
NRB

7-16-95 Case adjourned until 4-27-95.
mag J.

4/28/95 Deft nor atty pres. adj to 8/31/95

M.J. Gershon

8/31/95 adj to 9.28-95.
Buchwald

Doc #15

U.S. DISTRICT COURT
FILED
JUN 16 1997
S. D. OF N.Y.

MICROFILM
JUN 19 1997 -9 00 AM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - - - - - - - - - - - - - - -X

UNITED STATES OF AMERICA :

- v - :

MONYA ELSON, :
a/k/a "Kishinevsky,"

Defendant. :

- - - - - - - - - - - - - - - - - - -X

INDICTMENT

S1 95 Cr. 179 (JGK)

RACKETEERING COUNTS

COUNT ONE

The Grand Jury charges:

THE ENTERPRISE

1. At all times relevant to this Indictment, the defendant MONYA ELSON, a/k/a "Kishinevsky," together with others known and unknown were members of a group known as "Monya's Brigada" and constituted an "enterprise" as that term is defined in Title 18, United States Code, Section 1961(4), that is, a group of individuals associated in fact, which was engaged in, and the activities of which affected, interstate and foreign commerce. Monya's Brigada was an organized criminal group that operated in the Southern District of New York and elsewhere.

PURPOSES OF THE ENTERPRISE

2. The purposes of the enterprise included the following:

a. enriching the members of the enterprise through, among other things, narcotics trafficking and extortion; and

b. preserving and protecting the power and profits of the enterprise through the use of intimidation, violence, threats of violence, assaults and murder.

MEANS AND METHODS OF THE ENTERPRISE

3. Among the means and methods by which the defendant and his co-racketeers conducted and participated in the conduct of the affairs of the enterprise were the following:

a. Members of the enterprise conspired to distribute and possess with intent to distribute heroin.

b. Members of the enterprise used, attempted to use, and conspired to use extortion, which affected interstate commerce.

c. Members of the enterprise committed, attempted to commit and threatened to commit murder and other acts of violence to protect the enterprise's criminal operations.

d. Members of the enterprise promoted a climate of fear through violence and threats.

THE RACKETEERING CONSPIRACY

4. From in or about August 1990 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, being persons employed by and associated with the racketeering enterprise described above, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, willfully

and knowingly combined, conspired, confederated and agreed together and with each other to conduct and participate, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5). It was part of the conspiracy that the defendant agreed to participate in the conduct of the enterprise's affairs by personally committing at least two of the acts of racketeering, set forth as Racketeering Acts One through Ten in paragraphs 5 through 15 below.

THE PATTERN OF RACKETEERING ACTIVITY

5. The pattern of racketeering activity, as defined in Title 18, United States Code, Sections 1961(1) and 1961(5), consisted of the following acts:

Racketeering Act One

6. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, any one of which alone constitutes the commission of Racketeering Act One:

Conspiracy to Murder Boris Nayfeld

a. From in or about January 1991 through in or about January 1994, in the Eastern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Boris Nayfeld, a/k/a "Beeba," in violation of New York State Penal Law Sections 105.15 and 125.25.

Attempt to Murder Boris Nayfeld

b. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to murder Boris Nayfeld, a/k/a "Beeba," in violation of New York State Penal Law Sections 20.00, 110.00 and 125.25.

Arson Conspiracy

c. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to damage a motor vehicle used by Boris Nayfeld, a/k/a "Beeba," by causing an explosion, in violation of New York State Penal Law Sections 105.15 and 150.20.

Arson Attempt

d. On or about January 14, 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to damage a motor vehicle used by Boris Nayfeld, a/k/a "Beeba," by causing an explosion, in violation of New York State Penal Law Sections 20.00, 110.00 and 150.20.

Racketeering Act Two

7. MONYA ELSON, a/k/a "Kishinevsky, the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Two:

Conspiracy to Murder Vyacheslav Lyubarsky

a. In or about October 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Sections 105.15 and 125.25.

Attempt to Murder Vyacheslav Lyubarsky

b. In or about October 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly attempted to murder Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Sections 20.00, 110.00 and 125.25.

Racketeering Act Three

Murder of Vyacheslav Lyubarsky

8. On or about January 12, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Vyacheslav Lyubarsky, a/k/a "Slava," in violation of New York State Penal Law Section 125.25.

Racketeering Act Four

Murder of Vadim Lyubarsky

9. On or about January 12, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Vadim

Lyubarsky, in violation of New York State Penal Law Section 125.25.

Racketeering Act Five

10. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Five:

Conspiracy to Murder Alexander Slepinin

a. In or about June 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Alexander Slepinin, a/k/a "Palcovnik," in violation of New York State Penal Law Sections 105.15 and 125.25.

Murder of Alexander Slepinin

b. On or about June 23, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, unlawfully, intentionally and knowingly murdered Alexander Slepinin, a/k/a "Palcovnik," in violation of New York State Penal Law Section 125.25.

Act of Racketeering Six

Conspiracy to Distribute Heroin

11. In or about 1991, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States, to wit, to distribute and possess with intent to distribute

mixtures and substances containing detectable amounts of heroin, in violation of Sections 812, 841(a)(1) and 846 of Title 21, United States Code.

Act of Racketeering Seven

12. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Seven:

Conspiracy to Extort Victim #1

a. In or about late 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, together with others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #1," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #1

b. In or about late 1991, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #1, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Eight

13. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Eight:

Conspiracy to Extort Victim #2

a. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money by extortion from an individual referred to herein as "Victim #2," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #2

b. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #2, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Nine

14. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one which alone constitutes the commission of Racketeering Act Nine:

Conspiracy to Extort Victim #3

a. In or about early 1992, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #3," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #3

b. In or about early 1992, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #3, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

Act of Racketeering Ten

15. MONYA ELSON, a/k/a "Kishinevsky," the defendant, committed the following acts, either one of which alone constitutes the commission of Racketeering Act Ten:

Conspiracy to Extort Victim #4

a. In or about April 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to obtain property, to wit, money, by extortion from an individual referred to herein as "Victim #4," in violation of New York State Penal Law Sections 105.10 and 155.40.

Extortion of Victim #4

b. On or about April 27, 1992, in the Eastern District of New York, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly extorted and attempted to extort Victim #4, in violation of New York State Penal Law Sections 20.00, 110.00 and 155.40.

(Title 18, United States Code, Section 1962(d).)

COUNT TWO

The Grand Jury further charges:

16. Paragraphs 1 through 3 and 5 through 15 of this Indictment are realleged and incorporated by reference as though fully set forth herein.

17. From in or about August 1990 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown to the Grand Jury, being a persons employed by and associated with the enterprise described in Paragraphs 1 through 3 of this Indictment, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, unlawfully, willfully and knowingly conducted and participated, directly and indirectly, in the conduct of the affairs of that enterprise through a pattern of racketeering activity, as that term is defined in Title 18, United States Code, Sections 1961(1) and 1961(5), by committing two or more acts of racketeering, as set forth in Paragraphs 6 through 15 of this Indictment, which are realleged and incorporated herein by reference as Racketeering Acts One through Ten.

(Title 18, United States Code, Section 1962(c).)

COUNT THREE

Murder in Aid of Racketeering -- Alexander Slepinin, a/k/a "Palcovnik"

The Grand Jury further charges:

18. At all times relevant to this Indictment, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, as more fully described in Paragraphs 1 through 3 of this Indictment, which are realleged and incorporated by reference as though set forth fully herein, constituted an enterprise as defined in Title 18, United States Code, Section 1959(b)(2), that is, a group of individuals associated in fact, which enterprise was engaged in, and the activities of which affected interstate and foreign commerce.

19. From in or about August 1990 up to an including the date of the filing of this Indictment, the above-described enterprise, through its members and associates, engaged in racketeering activity as defined in Title 18, United States Code, Sections 1959(b)(1) and 1961(1), namely, murder, arson, narcotics distribution and extortion, as set forth more fully in Racketeering Acts One through Ten in Paragraphs 5 through 15 of Count One, which are incorporated by reference herein. As set forth in Paragraphs 5 through 15 of Count One, certain of these racketeering activities were committed in the Southern District of New York.

20. On or about June 23, 1992, in the Eastern District of New York and elsewhere, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the enterprise, and for the purpose of gaining

entrance to and maintaining and increasing his position in the enterprise, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, intentionally and knowingly murdered Alexander Slepinin, a/k/a "Palcovnik," in Kings County, New York, in violation of New York State Penal Law.

(Title 18, United States Code, Sections 1959(a)(1) and 2.)

COUNT FOUR

Conspiracy to Murder in Aid of Racketeering -- Alexander Slepinin, a/k/a "Palcovnik"

The Grand Jury further charges:

21. Paragraphs 1 through 3 and 5 through 15 of Count One of this Indictment, as well as paragraphs 18 and 19 of Count Three of this Indictment, are realleged and incorporated by reference as though fully set forth herein.

22. In or about June 1992, in the Eastern District of New York and elsewhere, as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value from the enterprise, and for the purpose of gaining entrance to and maintaining and increasing his position in the enterprise, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown, unlawfully, willfully and knowingly conspired to murder Alexander Slepinin, a/k/a "Palcovnik," in violation of New York State Penal Law.

(Title 18, United States Code, Section 1959(a)(5).)

COUNT FIVE

Extortion

The Grand Jury further charges:

23. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown to the Grand Jury, unlawfully, willfully and knowingly obtained and attempted to obtain money by extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), from and with the consent of Victim #2, which consent had been induced by the wrongful use of actual and threatened force, violence and fear and thereby would and did obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3).

(Title 18, United States Code, Sections 1951 and 2.)

COUNT SIX

Conspiracy to Commit Extortion

The Grand Jury further charges:

24. From in or about late 1991 up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, MONYA ELSON, a/k/a "Kishinevsky," the defendant, and others known and unknown to the Grand Jury, unlawfully, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to obtain money by extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), from and with the consent of Victim #2,

which consent would have and had been induced by the wrongful use of actual and threatened force, violence and fear and thereby would and did obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3).

(Title 18, United States Code, Section 1951.)

FOREPERSON

MARY JO WHITE
United States Attorney
Southern District of New York

A CERTIFIED COPY
RUBY J. KRAJICK, CLERK
BY
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

- vs -

MONYA ELSON, a/k/a "Kishinevsky,"

Defendant.

INDICTMENT
S1 95 Cr. 179 (JGK)

(Title 18, United States Code, Sections 1962(c), 1962(d), 1959(a)(1), 1959 (a)(5), 1951 and 2.)

MARY JO WHITE
United States Attorney for the
Southern District of New York

A TRUE BILL

[signature]
Foreperson

Post 11-1-97
6-16-97 Filed Indictment
LAH Francis, USM

7/9/97 DEFT PRESENT W/ATTY JAMES DIPIETRO. AUSA JEFF ZIMMERMAN. REPORTER STEPHEN GRIFFING. PRETRIAL CONFERENCE HELD. DEFT ARRAIGNED ON SUPERCEEDING INDICTMENT AND PLEADS NOT GUILTY. TRIAL SCHEDULED FOR 10/6/97 AT 9:00AM. TIME EXCLUDED FROM 7/9/97 TO 10/6/97. DEFT CONT'D DETAINED

Judge Koeltl